

NINETY-NINTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 192

Introduced by Dw. Pedersen, 39

Read first time May 18, 2005

Committee:

PURPOSE: To study issues surrounding the use of ignition interlock devices for persons who have been convicted of driving under the influence as proposed in LB 678 (2005). Some of the items to be studied should include:

(1) Study federal revocation period requirements for driving under the influence (DUI) necessary for state compliance with federal grant programs;

(2) Study the feasibility of a graduated system of "hard time" revocation periods before ignition interlock devices can be installed;

(3) Study the current statutes regarding fifteen-year and life suspensions and study the feasibility of installing ignition interlock devices during that period of time, including what would be the optimum "hard revocation" time before a person with a fifteen-year license or life suspension can be considered for approval of an ignition interlock device and how long that device must remain installed in their vehicle. Study the proper period of "hard time" revocation if a person refuses to submit to a chemical test;

(4) Study the electronic abstracting process for DUI cases to determine if the Department of Motor Vehicles is receiving adequate information to allow probation orders for ignition interlock devices to be correctly enforced;

(5) Study the courts' probation orders for ignition interlock devices and oversight of persons on probation with ignition interlock device orders to see if there are better ways for probationers to comply with such orders;

(6) Study whether or not ignition interlock device orders should be mandatory in DUI sentences;

(7) Study DUI employment permit statutes to see if uses of employment permits should be expanded, including, but not limited to, allowing drivers with revoked licenses to travel to court-mandated treatment programs and community service; and

(8) Study the need for subsidized access to ignition interlock devices and determine who should manage such a program if it is deemed to be necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.